

THURSDAY, MAY 27, 2010

EIGHTY-NINTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 10:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Mr. Frank Hollingsworth of Western Hills Church of Christ in Nashville, Tennessee, a guest of Senator Henry.

PLEDGE OF ALLEGIANCE

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 274 with amendment, 1220, 2725, 2785 with amendment, 3100 with amendment, 3290 with amendment, 3591 with amendment and 3598 with amendment; and House Joint Resolution No. 704.

MCNALLY, Chairperson
May 25, 2010

The Speaker announced that he had referred Senate Bills Nos. 274 with amendment, 1220, 2725, 2785 with amendment, 3100 with amendment, 3290 with amendment, 3591 with amendment and 3598 with amendment; and House Joint Resolution No. 704 to the Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2523 with amendment, 3341 with amendment and 3626 with amendment.

MCNALLY, Chairperson
May 26, 2010

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The Speaker announced that he had referred Senate Bills Nos. 2523 with amendment, 3341 with amendment and 3626 with amendment to the Committee on Calendar.

MOTION

Senator Watson moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1268**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 1268 by Senator Watson.
Memorials, Recognition -- Little Debbie Snack Cakes, 50th anniversary.

On motion of Senator Watson, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1268** was adopted.

RECESS

Senator Kyle moved the Senate stand in recess until 11:30 a.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker Ramsey.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3957** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 3957 by Senator Herron.
Henry County -- As introduced, subject to local approval, transfers probate court clerk responsibility from county clerk to clerk and master; transfers juvenile court clerk responsibility from county clerk to circuit court clerk. Amends Chapter 82 of the Private Acts of 1989.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 3334, 3353, 3554, 3735, 3736 and 3989** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 3334 -- Treasurer, State -- As introduced, requires the Department of the Treasury to develop and administer a financial literacy program. Amends TCA Title 49.

House Bill No. 3353 -- State Government -- As introduced, creates a procurement commission, procurement office, and an advisory council on state procurement and regulates the procurement, management, contracting, and disposal of goods and services by the state. Amends TCA Title 4 and Title 12.

House Bill No. 3554 -- Wildlife Resources Commission -- As introduced, authorizes representatives of certified animal control agencies to inspect Class I wildlife, facilities, and records. Amends TCA Title 7, Chapter 63, Part 2; Title 63, Chapter 12, Part 1 and Title 70, Chapter 4, Part 4.

House Bill No. 3735 -- Highway Signs -- As introduced, expresses intent to name appropriate bridge on State Route 840 in honor of the late PFC Nathan B. Clemons, USMC.

House Bill No. 3736 -- Highway Signs -- As introduced, expresses intent to name appropriate bridge on State Route 840 in honor of the late Lance Corporal Gregory Posey, USMC.

House Bill No. 3989 -- McEwen -- As introduced, subject to local approval, revises municipal court language to comply with election requirements for municipal court having concurrent jurisdiction with the general sessions court. Amends Chapter 669 of the Private Acts of 1951.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 3943** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced that the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 3943 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1262 through 1267 and 1269 through 1277**; and **Senate Resolution No. 229** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1262 by Senator Yager.
Memorials, Recognition -- Faith Baptist Tabernacle, 30th anniversary.

Senate Joint Resolution No. 1263 by Senator Yager.
Memorials, Recognition -- Herbert King.

Senate Joint Resolution No. 1264 by Senator Stewart.
Memorials, Recognition -- The late Senator Ernest Crouch, re-dedication of Motlow College's Crouch Library.

Senate Joint Resolution No. 1265 by Senator Overbey.
Memorials, Sports -- Ken Sparks, Division II College Football Hall of Fame.

Senate Joint Resolution No. 1266 by Senator Henry.
Memorials, Congratulations -- Lipscomb University, a Princeton Review Green College.

Senate Joint Resolution No. 1267 by Senator Crowe.
Memorials, Death -- Ben Scharfstein.

Senate Joint Resolution No. 1269 by Senator Finney.
Memorials, Sports -- Milan Middle School golf teams, winners of non-TMSAA district tournament.

Senate Joint Resolution No. 1270 by Senator Henry.
Memorials, Recognition -- Cheekwood, Tennessee Botanical Garden and Fine Arts Center, 50th anniversary.

Senate Joint Resolution No. 1271 by Senator Herron.
Memorials, Academic Achievement -- Victoria Jade Murphree, Salutatorian, Riverdale High School.

Senate Joint Resolution No. 1272 by Senator Herron.
Memorials, Academic Achievement -- William B. Crosby, Valedictorian, Riverdale High School.

Senate Joint Resolution No. 1273 by Senator Yager.
Memorials, Interns -- Jessica Moe.

Senate Joint Resolution No. 1274 by Senator Gresham.
Memorials, Interns -- Laura Cornick.

Senate Joint Resolution No. 1275 by Senator Watson.
Memorials, Recognition -- Darde Long.

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Senate Joint Resolution No. 1276 by Senator Herron.

Memorials, Academic Achievement -- Maggie Sue Little, Salutatorian, Scotts Hill High School.

Senate Joint Resolution No. 1277 by Senator Herron.

Memorials, Academic Achievement -- Jonathan William Thurston, Valedictorian, Scotts Hill High School.

Senate Resolution No. 229 by Senator Norris.

Memorials, Recognition -- Senate employees of 106th General Assembly.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1183, 1221, 1253, 1257, 1333 through 1341, 1344 through 1347 and 1349 through 1358; Senate Joint Resolutions Nos. 1219 through 1235 and 1237 through 1254 and 1256 through 1261; and Senate Resolutions Nos. 227 and 228** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1183 -- Highway Signs -- "Jessica JoAnna Johnson Memorial Bridge", I-26 in Washington County.

The Speaker announced that he had referred House Joint Resolution No. 1183 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1221 -- Memorials, Congress -- Urges Tennessee Congressional delegation to initiate investigative hearings on U.S. Army Corps of Engineers relative to water releases from dams serving Middle Tennessee during recent flooding and maintenance of dams and levees.

The Speaker announced that he had referred House Joint Resolution No. 1221 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1253 -- Memorials, Recognition -- Commends the State of Arizona and its elected officials as it approaches its centennial celebration.

The Speaker announced that he had referred House Joint Resolution No. 1253 to the Committee on Calendar.

House Joint Resolution No. 1257 -- Memorials, Government Officials -- Encourages state departments and healthcare service providers to seek out programs and initiatives to ensure availability of cost effective healthcare services for elderly population in rural areas.

The Speaker announced that he had referred House Joint Resolution No. 1257 to the Committee on General Welfare, Health and Human Resources.

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House Joint Resolution No. 1333 -- Memorials, Academic Achievement -- Keonna Please, Salutatorian, Melrose High School.

The Speaker announced that he had referred House Joint Resolution No. 1333 to the Committee on Calendar.

House Joint Resolution No. 1334 -- Memorials, Academic Achievement -- Elizabeth Bailey, Salutatorian, White Station High School.

The Speaker announced that he had referred House Joint Resolution No. 1334 to the Committee on Calendar.

House Joint Resolution No. 1335 -- Memorials, Academic Achievement -- Hillary Rice, Valedictorian, Melrose High School.

The Speaker announced that he had referred House Joint Resolution No. 1335 to the Committee on Calendar.

House Joint Resolution No. 1336 -- Memorials, Academic Achievement -- William Yates, Valedictorian, Central High School.

The Speaker announced that he had referred House Joint Resolution No. 1336 to the Committee on Calendar.

House Joint Resolution No. 1337 -- Memorials, Academic Achievement -- Hannah Loewenberg, Valedictorian, Central High School.

The Speaker announced that he had referred House Joint Resolution No. 1337 to the Committee on Calendar.

House Joint Resolution No. 1338 -- Memorials, Academic Achievement -- Nam H. Le, Salutatorian, Central High School.

The Speaker announced that he had referred House Joint Resolution No. 1338 to the Committee on Calendar.

House Joint Resolution No. 1339 -- Memorials, Academic Achievement -- Si "Tara" Shen, Valedictorian, White Station High School.

The Speaker announced that he had referred House Joint Resolution No. 1339 to the Committee on Calendar.

House Joint Resolution No. 1340 -- Memorials, Professional Achievement -- Keith Pyle, 65th President of Tennessee Road Builders Association.

The Speaker announced that he had referred House Joint Resolution No. 1340 to the Committee on Calendar.

House Joint Resolution No. 1341 -- Memorials, Recognition -- Siori Koener, winner of the Letters About Literature contest.

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The Speaker announced that he had referred House Joint Resolution No. 1341 to the Committee on Calendar.

House Joint Resolution No. 1344 -- Memorials, Heroism -- David C. Shelton.

The Speaker announced that he had referred House Joint Resolution No. 1344 to the Committee on Calendar.

House Joint Resolution No. 1345 -- Memorials, Retirement -- David Walker.

The Speaker announced that he had referred House Joint Resolution No. 1345 to the Committee on Calendar.

House Joint Resolution No. 1346 -- Memorials, Public Service -- Representative Mike Bell.

The Speaker announced that he had referred House Joint Resolution No. 1346 to the Committee on Calendar.

House Joint Resolution No. 1347 -- Memorials, Public Service -- Representative Stacey Campfield.

The Speaker announced that he had referred House Joint Resolution No. 1347 to the Committee on Calendar.

House Joint Resolution No. 1349 -- Memorials, Public Service -- Representative Susan Lynn.

The Speaker announced that he had referred House Joint Resolution No. 1349 to the Committee on Calendar.

House Joint Resolution No. 1350 -- Memorials, Recognition -- Pastor David Royalty.

The Speaker announced that he had referred House Joint Resolution No. 1350 to the Committee on Calendar.

House Joint Resolution No. 1351 -- Memorials, Professional Achievement -- Judy Walton Stanley, TEA Distinguished Educator Award.

The Speaker announced that he had referred House Joint Resolution No. 1351 to the Committee on Calendar.

House Joint Resolution No. 1352 -- Memorials, Professional Achievement -- Trevette LaChelle Burns, TEA Distinguished Educator Award.

The Speaker announced that he had referred House Joint Resolution No. 1352 to the Committee on Calendar.

House Joint Resolution No. 1353 -- Memorials, Recognition -- Boy Scouts of America, 100th anniversary.

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The Speaker announced that he had referred House Joint Resolution No. 1353 to the Committee on Calendar.

House Joint Resolution No. 1354 -- Memorials, Retirement -- Anne Pfeiffer.

The Speaker announced that he had referred House Joint Resolution No. 1354 to the Committee on Calendar.

House Joint Resolution No. 1355 -- Memorials, Recognition -- Joint employees of 106th General Assembly.

The Speaker announced that he had referred House Joint Resolution No. 1355 to the Committee on Calendar.

House Joint Resolution No. 1356 -- Memorials, Recognition -- Tennessee Valley Credit Union, named one of the Best Employers in Tennessee.

The Speaker announced that he had referred House Joint Resolution No. 1356 to the Committee on Calendar.

House Joint Resolution No. 1357 -- Memorials, Retirement -- Norma Florence.

The Speaker announced that he had referred House Joint Resolution No. 1357 to the Committee on Calendar.

House Joint Resolution No. 1358 -- Memorials, Personal Occasion -- Helen Wells, 100th birthday.

The Speaker announced that he had referred House Joint Resolution No. 1358 to the Committee on Calendar.

Senate Joint Resolution No. 1219 -- Memorials, Sports -- Coach Mike Hendrix, Hendersonville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1219 to the Committee on Calendar.

Senate Joint Resolution No. 1220 -- Memorials, Public Service -- Senator Dewayne Bunch.

The Speaker announced that he had referred Senate Joint Resolution No. 1220 to the Committee on Calendar.

Senate Joint Resolution No. 1221 -- Memorials, Academic Achievement -- Matthew Brian Reecer, Salutatorian, Portland High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1221 to the Committee on Calendar.

Senate Joint Resolution No. 1222 -- Memorials, Academic Achievement -- Stephen Lentz Derryberry, Jr., Valedictorian, Portland High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 1222 to the Committee on Calendar.

Senate Joint Resolution No. 1223 -- Memorials, Academic Achievement -- Andrew Nash, Valedictorian, White House Heritage High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1223 to the Committee on Calendar.

Senate Joint Resolution No. 1224 -- Memorials, Academic Achievement -- Douglas Holder, Salutatorian, White House Heritage High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1224 to the Committee on Calendar.

Senate Joint Resolution No. 1225 -- Memorials, Academic Achievement -- Jesus Gonzalez, Valedictorian, South Haven Christian School.

The Speaker announced that he had referred Senate Joint Resolution No. 1225 to the Committee on Calendar.

Senate Joint Resolution No. 1226 -- Memorials, Academic Achievement -- Rebecca Morgan, Salutatorian, South Haven Christian School.

The Speaker announced that he had referred Senate Joint Resolution No. 1226 to the Committee on Calendar.

Senate Joint Resolution No. 1227 -- Memorials, Academic Achievement -- Aaron Fairchild, Salutatorian, Christian Community High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1227 to the Committee on Calendar.

Senate Joint Resolution No. 1228 -- Memorials, Academic Achievement -- Nickolas Franklin Luttrell, Valedictorian, Springfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1228 to the Committee on Calendar.

Senate Joint Resolution No. 1229 -- Memorials, Academic Achievement -- Ryan Alexander King, Salutatorian, Springfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1229 to the Committee on Calendar.

Senate Joint Resolution No. 1230 -- Memorials, Academic Achievement -- Marie Jones, Valedictorian, Christian Community High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1230 to the Committee on Calendar.

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Senate Joint Resolution No. 1231 -- Memorials, Academic Achievement -- Alice Antimie, Salutatorian, Hendersonville Christian Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 1231 to the Committee on Calendar.

Senate Joint Resolution No. 1232 -- Memorials, Academic Achievement -- Jared Dylan Colvin, Valedictorian, Hendersonville Christian Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 1232 to the Committee on Calendar.

Senate Joint Resolution No. 1233 -- Memorials, Sports -- Abby Wilson and Tsali Franklin, Gallatin High School, doubles tennis champions.

The Speaker announced that he had referred Senate Joint Resolution No. 1233 to the Committee on Calendar.

Senate Joint Resolution No. 1234 -- Memorials, Public Service -- Senator Tim Burchett.

The Speaker announced that he had referred Senate Joint Resolution No. 1234 to the Committee on Calendar.

Senate Joint Resolution No. 1235 -- Memorials, Interns -- Jason Parker.

The Speaker announced that he had referred Senate Joint Resolution No. 1235 to the Committee on Calendar.

Senate Joint Resolution No. 1237 -- Memorials, Professional Achievement -- Dave Chaffin, 2009 AP's Best Radio Newscaster Award.

The Speaker announced that he had referred Senate Joint Resolution No. 1237 to the Committee on Calendar.

Senate Joint Resolution No. 1238 -- Memorials, Interns -- Thomas Austin Watkins.

The Speaker announced that he had referred Senate Joint Resolution No. 1238 to the Committee on Calendar.

Senate Joint Resolution No. 1239 -- Memorials, Academic Achievement -- Rebecca Jo Moore, Valedictorian, Dresden High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1239 to the Committee on Calendar.

Senate Joint Resolution No. 1240 -- Memorials, Academic Achievement -- Amber Crafton, Salutatorian, Dresden High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1240 to the Committee on Calendar.

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Senate Joint Resolution No. 1241 -- Memorials, Academic Achievement -- Marianela D'Aprile, Valedictorian, Martin Westview High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1241 to the Committee on Calendar.

Senate Joint Resolution No. 1242 -- Memorials, Academic Achievement -- Timothy Bergman, Salutatorian, Martin Westview High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1242 to the Committee on Calendar.

Senate Joint Resolution No. 1243 -- Memorials, Academic Achievement -- Katelin McCall, Valedictorian, Greenfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1243 to the Committee on Calendar.

Senate Joint Resolution No. 1244 -- Memorials, Academic Achievement -- Dakota Betts, Salutatorian, Greenfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1244 to the Committee on Calendar.

Senate Joint Resolution No. 1245 -- Memorials, Academic Achievement -- Elizabeth Terrell, Valedictorian, Gleason High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1245 to the Committee on Calendar.

Senate Joint Resolution No. 1246 -- Memorials, Academic Achievement -- Ryan Richardson, Salutatorian, Gleason High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1246 to the Committee on Calendar.

Senate Joint Resolution No. 1247 -- Memorials, Academic Achievement -- Adilene Rodriguez, Valedictorian, Lake County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1247 to the Committee on Calendar.

Senate Joint Resolution No. 1248 -- Memorials, Academic Achievement -- Wendy Mills, Salutatorian, Lake County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1248 to the Committee on Calendar.

Senate Joint Resolution No. 1249 -- Memorials, Recognition -- Chattanooga School for the Liberal Arts, Magnet Schools of America Top Elementary Magnet School in the U.S.

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The Speaker announced that he had referred Senate Joint Resolution No. 1249 to the Committee on Calendar.

Senate Joint Resolution No. 1250 -- Memorials, Academic Achievement -- Brooke Reed, Leonore Annenberg Scholarship.

The Speaker announced that he had referred Senate Joint Resolution No. 1250 to the Committee on Calendar.

Senate Joint Resolution No. 1251 -- Memorials, Public Service -- Betty Poteete, Democratic Party Chairwoman for Gibson County.

The Speaker announced that he had referred Senate Joint Resolution No. 1251 to the Committee on Calendar.

Senate Joint Resolution No. 1252 -- Memorials, Sports -- Peabody High School tennis teams.

The Speaker announced that he had referred Senate Joint Resolution No. 1252 to the Committee on Calendar.

Senate Joint Resolution No. 1253 -- Memorials, Recognition -- Lex Suite, first place winner, Value-Added Achievement Awards.

The Speaker announced that he had referred Senate Joint Resolution No. 1253 to the Committee on Calendar.

Senate Joint Resolution No. 1254 -- Memorials, Retirement -- Dale Kelley.

The Speaker announced that he had referred Senate Joint Resolution No. 1254 to the Committee on Calendar.

Senate Joint Resolution No. 1256 -- Memorials, Academic Achievement -- Sarah McPeake, Valedictorian, Lexington High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1256 to the Committee on Calendar.

Senate Joint Resolution No. 1257 -- Memorials, Academic Achievement -- Nissa Lomax, Salutatorian, Perry County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1257 to the Committee on Calendar.

Senate Joint Resolution No. 1258 -- Memorials, Academic Achievement -- Ariel Stearnes, Valedictorian, Perry County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1258 to the Committee on Calendar.

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Senate Joint Resolution No. 1259 -- Memorials, Academic Achievement -- Shelby Mills, Salutatorian, Lexington High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1259 to the Committee on Calendar.

Senate Joint Resolution No. 1260 -- Basic Education Program (BEP) -- Requests the State Board of Education and the BEP Review Committee to analyze impact of recent flood on local governments' fiscal capacity.

The Speaker announced that he had referred Senate Joint Resolution No. 1260 to the Committee on Education.

Senate Joint Resolution No. 1261 -- Memorials, Death -- Harlan White.

The Speaker announced that he had referred Senate Joint Resolution No. 1261 to the Committee on Calendar.

Senate Resolution No. 227 -- Memorials, Interns -- Andrew "Drew" Chance.

The Speaker announced that he had referred Senate Resolution No. 227 to the Committee on Calendar.

Senate Resolution No. 228 -- Memorials, Interns -- Jacob Baggett.

The Speaker announced that he had referred Senate Resolution No. 228 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3376. The House refused to recede from its action in nonconcurring in Senate Amendments Nos. 1 and 2. The Speaker appointed a Conference Committee composed of Representatives Ty Cobb, Bass and Todd to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 3376.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3753. The House refused to recede from its action in nonconcurring in Senate Amendment No. 1. The Speaker appointed a Conference Committee composed of Representatives Sherry Jones, Dean and Favors

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to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 3753.

BURNEY T. DURHAM,
Chief Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 2685/SENATE BILL NO. 2753**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 3034/SENATE BILL NO. 3034**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 3152/SENATE BILL NO. 3602**

The report was received and filed with the Clerk.

**MESSAGE FROM THE HOUSE
May 27, 2010**

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2465. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Representatives Lynn, Mike Turner and Todd to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2465.

BURNEY T. DURHAM,
Chief Clerk.

**MESSAGE FROM THE HOUSE
May 27, 2010**

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2685. The House adopted the Conference Committee Report and made it the action of the House.

BURNEY T. DURHAM,
Chief Clerk.

**MESSAGE FROM THE HOUSE
May 27, 2010**

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2943. The House lifted the tabling motion and reconsidered Senate Bill No. 2943, reconsidered and withdrew Amendment

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No. 1, adopted Amendment No. 2 and repassed Senate Bill No. 2943, amended, on third and final consideration.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to request the return of Senate Bill No. 440, for further consideration.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3586, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3136. The House nonconcurred in Senate Amendment No. 3.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to request the return of Senate Bill No. 1678, for further consideration.

BURNEY T. DURHAM,
Chief Clerk.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 1184**

The Speaker announced the appointment of a Conference Committee composed of Senators Crowe, Chairperson; Black and Tate to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 1184.

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**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 3376**

The Speaker announced the appointment of a Conference Committee composed of Senators Stewart, Chairperson; Faulk and Kelsey to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 3376.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 3753**

The Speaker announced the appointment of a Conference Committee composed of Senators Jackson, Chairperson; Black and Overbey to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 3753.

CONSENT CALENDAR

House Joint Resolution No. 1333 -- Memorials, Academic Achievement -- Keonna Please, Salutatorian, Melrose High School.

House Joint Resolution No. 1334 -- Memorials, Academic Achievement -- Elizabeth Bailey, Salutatorian, White Station High School.

House Joint Resolution No. 1335 -- Memorials, Academic Achievement -- Hillary Rice, Valedictorian, Melrose High School.

House Joint Resolution No. 1336 -- Memorials, Academic Achievement -- William Yates, Valedictorian, Central High School.

House Joint Resolution No. 1337 -- Memorials, Academic Achievement -- Hannah Loewenberg, Valedictorian, Central High School.

House Joint Resolution No. 1338 -- Memorials, Academic Achievement -- Nam H. Le, Salutatorian, Central High School.

House Joint Resolution No. 1339 -- Memorials, Academic Achievement -- Si "Tara" Shen, Valedictorian, White Station High School.

House Joint Resolution No. 1340 -- Memorials, Professional Achievement -- Keith Pyle, 65th President of Tennessee Road Builders Association.

House Joint Resolution No. 1341 -- Memorials, Recognition -- Siori Koener, winner of the Letters About Literature contest.

House Joint Resolution No. 1344 -- Memorials, Heroism -- David C. Shelton.

House Joint Resolution No. 1345 -- Memorials, Retirement -- David Walker.

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House Joint Resolution No. 1346 -- Memorials, Public Service -- Representative Mike Bell.

House Joint Resolution No. 1347 -- Memorials, Public Service -- Representative Stacey Campfield.

House Joint Resolution No. 1349 -- Memorials, Public Service -- Representative Susan Lynn.

House Joint Resolution No. 1350 -- Memorials, Recognition -- Pastor David Royalty.

House Joint Resolution No. 1351 -- Memorials, Professional Achievement -- Judy Walton Stanley, TEA Distinguished Educator Award.

House Joint Resolution No. 1352 -- Memorials, Professional Achievement -- Trevette LaChelle Burns, TEA Distinguished Educator Award.

House Joint Resolution No. 1353 -- Memorials, Recognition -- Boy Scouts of America, 100th anniversary.

House Joint Resolution No. 1354 -- Memorials, Retirement -- Anne Pfeiffer.

House Joint Resolution No. 1355 -- Memorials, Recognition -- Joint employees of 106th General Assembly.

Senate Joint Resolution No. 1219 -- Memorials, Sports -- Coach Mike Hendrix, Hendersonville High School.

Senate Joint Resolution No. 1220 -- Memorials, Public Service -- Senator Dewayne Bunch.

Senate Joint Resolution No. 1221 -- Memorials, Academic Achievement -- Matthew Brian Reecer, Salutatorian, Portland High School.

Senate Joint Resolution No. 1222 -- Memorials, Academic Achievement -- Stephen Lentz Derryberry, Jr., Valedictorian, Portland High School.

Senate Joint Resolution No. 1223 -- Memorials, Academic Achievement -- Andrew Nash, Valedictorian, White House Heritage High School.

Senate Joint Resolution No. 1224 -- Memorials, Academic Achievement -- Douglas Holder, Salutatorian, White House Heritage High School.

Senate Joint Resolution No. 1225 -- Memorials, Academic Achievement -- Jesus Gonzalez, Valedictorian, South Haven Christian School.

Senate Joint Resolution No. 1226 -- Memorials, Academic Achievement -- Rebecca Morgan, Salutatorian, South Haven Christian School.

Senate Joint Resolution No. 1227 -- Memorials, Academic Achievement -- Aaron Fairchild, Salutatorian, Christian Community High School.

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Senate Joint Resolution No. 1228 -- Memorials, Academic Achievement -- Nickolas Franklin Luttrell, Valedictorian, Springfield High School.

Senate Joint Resolution No. 1229 -- Memorials, Academic Achievement -- Ryan Alexander King, Salutatorian, Springfield High School.

Senate Joint Resolution No. 1230 -- Memorials, Academic Achievement -- Marie Jones, Valedictorian, Christian Community High School.

Senate Joint Resolution No. 1231 -- Memorials, Academic Achievement -- Alice Antimie, Salutatorian, Hendersonville Christian Academy.

Senate Joint Resolution No. 1232 -- Memorials, Academic Achievement -- Jared Dylan Colvin, Valedictorian, Hendersonville Christian Academy.

Senate Joint Resolution No. 1233 -- Memorials, Sports -- Abby Wilson and Tsali Franklin, Gallatin High School, doubles tennis champions.

Senate Joint Resolution No. 1235 -- Memorials, Interns -- Jason Parker.

Senate Joint Resolution No. 1237 -- Memorials, Professional Achievement -- Dave Chaffin, 2009 AP's Best Radio Newscaster Award.

Senate Joint Resolution No. 1238 -- Memorials, Interns -- Thomas Austin Watkins.

Senate Joint Resolution No. 1239 -- Memorials, Academic Achievement -- Rebecca Jo Moore, Valedictorian, Dresden High School.

Senate Joint Resolution No. 1240 -- Memorials, Academic Achievement -- Amber Crafton, Salutatorian, Dresden High School.

Senate Joint Resolution No. 1241 -- Memorials, Academic Achievement -- Marianela D'Aprile, Valedictorian, Martin Westview High School.

Senate Joint Resolution No. 1242 -- Memorials, Academic Achievement -- Timothy Bergman, Salutatorian, Martin Westview High School.

Senate Joint Resolution No. 1243 -- Memorials, Academic Achievement -- Katelin McCall, Valedictorian, Greenfield High School.

Senate Joint Resolution No. 1244 -- Memorials, Academic Achievement -- Dakota Betts, Salutatorian, Greenfield High School.

Senate Joint Resolution No. 1245 -- Memorials, Academic Achievement -- Elizabeth Terrell, Valedictorian, Gleason High School.

Senate Joint Resolution No. 1246 -- Memorials, Academic Achievement -- Ryan Richardson, Salutatorian, Gleason High School.

Senate Joint Resolution No. 1247 -- Memorials, Academic Achievement -- Adilene Rodriguez, Valedictorian, Lake County High School.

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Senate Joint Resolution No. 1248 -- Memorials, Academic Achievement -- Wendy Mills, Salutatorian, Lake County High School.

Senate Joint Resolution No. 1249 -- Memorials, Recognition -- Chattanooga School for the Liberal Arts, Magnet Schools of America Top Elementary Magnet School in the U.S.

Senate Joint Resolution No. 1250 -- Memorials, Academic Achievement -- Brooke Reed, Leonore Annenberg Scholarship.

Senate Joint Resolution No. 1251 -- Memorials, Public Service -- Betty Poteete, Democratic Party Chairwoman for Gibson County.

Senate Joint Resolution No. 1252 -- Memorials, Sports -- Peabody High School tennis teams.

Senate Joint Resolution No. 1253 -- Memorials, Recognition -- Lex Suite, first place winner, Value-Added Achievement Awards.

Senate Joint Resolution No. 1254 -- Memorials, Retirement -- Dale Kelley.

Senate Joint Resolution No. 1256 -- Memorials, Academic Achievement -- Sarah McPeake, Valedictorian, Lexington High School.

Senate Joint Resolution No. 1257 -- Memorials, Academic Achievement -- Nissa Lomax, Salutatorian, Perry County High School.

Senate Joint Resolution No. 1258 -- Memorials, Academic Achievement -- Ariel Stearnes, Valedictorian, Perry County High School.

Senate Joint Resolution No. 1259 -- Memorials, Academic Achievement -- Shelby Mills, Salutatorian, Lexington High School.

Senate Joint Resolution No. 1261 -- Memorials, Death -- Harlan White.

Senate Joint Resolution No. 1262 -- Memorials, Recognition -- Faith Baptist Tabernacle, 30th anniversary.

Senate Joint Resolution No. 1263 -- Memorials, Recognition -- Herbert King.

Senate Resolution No. 227 -- Memorials, Interns -- Andrew "Drew" Chance.

Senate Resolution No. 228 -- Memorials, Interns -- Jacob Baggett.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron,

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Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**MOTION TO OVERRIDE GOVERNOR'S VETO
ON
SENATE BILL NO. 3012**

Senator Jackson moved that **Senate Bill No. 3012** be passed, the Governor's objection to the contrary notwithstanding, which motion prevailed by the following vote:

Ayes 23
Noes 10

Senators voting aye were: Barnes, Beavers, Black, Bunch, Burchett, Crowe, Faulk, Finney, Gresham, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--23.

Senators voting no were: Berke, Burks, Ford, Harper, Haynes, Henry, Kyle, Marrero, Stewart and Tate--10.

MOTION

Senator Faulk moved that Rule 19 be suspended for the purpose of considering the Message Calendar next, which motion prevailed.

MESSAGE CALENDAR

Senator Faulk moved that **Senate Bill No. 2488** be placed at the heel of the Message Calendar for today, which motion prevailed.

Senator Faulk moved that **Senate Bill No. 3489** be placed at the heel of the Message Calendar for today, which motion prevailed.

Senator Overbey moved that **Senate Bill No. 440** be returned to the House, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2418 -- Administrative Procedure (UAPA) -- As introduced, removes authority of the Government Operations Committees to stay the running of the period between the time a rule is filed with the secretary and the rule's effective date. Amends TCA Title 4, Chapter 5.

Senator Watson moved that the Senate refuse to recede from its action in nonconcurring House Amendment No. 4 to **Senate Bill No. 2418**, which motion prevailed.

Senator Watson moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on **Senate Bill No. 2418**, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
SENATE BILL NO. 2418**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Bunch and Tate to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2418.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3687 -- Taxes, Real Property -- As introduced, removes the exemption of counties with a population of at least 50,000 people from the adjustment of the property tax rate in special school districts; and revises present law regarding assessments of public utility taxpayers and property. Amends TCA Title 67, Chapter 1 and Title 67, Chapter 5.

HOUSE AMENDMENT NO. 3

AMEND by deleting Section 1 of the bill and by redesignating subsequent sections accordingly.

Senator McNally moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 3687**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 270 -- Election Laws -- As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. Amends TCA Title 2.

Senator Bunch moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 270**, which motion prevailed.

Senator Bunch moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 3 to **House Bill No. 270**, which motion prevailed.

Senator Bunch moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 8 to **House Bill No. 270**, which motion prevailed.

Senator Bunch moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 10 to **House Bill No. 270**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2455 -- Sunset Laws -- As introduced, extends state board for licensing contractors, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 6.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2455**, which motion prevailed.

Senator Watson moved that **House Bill No. 2462** be placed at the heel of the Message Calendar for today, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2471 -- Sunset Laws -- As introduced, extends council on children's mental health care, June 30, 2014. Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 3, Part 1.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2471**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2492 -- Firefighters -- As introduced, exempts firefighters located within the unincorporated area of Claiborne County and any municipality located within Claiborne County from the minimum training requirements unless the governing body of a municipality or the county adopts a resolution to apply such requirements within their respective jurisdictional boundaries. Amends TCA Section 4-24-112.

Senator Beavers moved to lift from the table a motion to reconsider on **House Bill No. 2492**, which motion prevailed.

Senator Beavers moved that the Senate reconsider its action in passing **House Bill No. 2492**, which motion prevailed.

Senator Beavers moved that the Senate reconsider its action in adopting Senate Amendment No. 1 to **House Bill No. 2492**, which motion prevailed.

Senator Ketron moved that Senate Amendment No. 1 to **House Bill No. 2492** be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 2492** was repassed on third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2592 -- Sunset Laws -- As introduced, extends the board of dietitian/nutritionist examiners, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 25, Part 1.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2592**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2594 -- Sunset Laws -- As introduced, extends the board of examiners for nursing home administrators, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 16, Part 1.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2594**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2602 -- Sunset Laws -- As introduced, extends emergency medical services board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 140.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2602**, which motion prevailed.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2602**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2605 -- Sunset Laws -- As introduced, extends the council for hearing instrument specialists, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 17.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2605**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2606 -- Sunset Laws -- As introduced, extends the committee for clinical perfusionists, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 28.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2606**, which motion prevailed.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2606**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2610 -- Sunset Laws -- As introduced, extends the Tennessee medical laboratory board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 29.

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Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2610**, which motion prevailed.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2610**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2618 -- Sunset Laws -- As introduced, extends board of respiratory care, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 27.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2618**, which motion prevailed.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2618**, which motion prevailed.

SENATE JOINT RESOLUTION ON HOUSE AMENDMENT

Senate Joint Resolution No. 784 -- General Assembly, Directed Studies -- Requests reports from the Department of Environment and Conservation relative to TVA Emergency Preparedness and transition to Dry Coal Ash Storage.

MR. SPEAKER RAMSEY RELINQUISHES CHAIR

Mr. Speaker Ramsey relinquished the Chair to Senator Woodson as Speaker pro tempore.

HOUSE AMENDMENT NO. 2

AMEND by adding the following new resolving clause to the end of the resolution:

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Commissioner of the Department of Environment and Conservation.

Senator Burchett moved that the Senate concur in House Amendment No. 2 to **Senate Joint Resolution No. 784**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Madame Speaker Pro Tempore Woodson moved that **Senate Joint Resolution No. 978** be placed at the heel of the Message Calendar for today, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2488 -- Veterans -- As introduced, creates a veterans' honor medal program to recognize and honor all Tennessee veterans. Amends TCA Title 58.

HOUSE AMENDMENT NO. 2

AMEND by deleting the second sentence of subsection (a) of Section 1 of the bill and substituting instead the following:

The advisory committee shall make recommendations and issue findings regarding establishment of a veterans' honor medal program to appropriately recognize and honor Tennessee's honorably discharged veterans or Tennessee veterans killed during active duty.

Mr. Speaker Ramsey moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2488**, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3489 -- Annexation -- As introduced, allows municipality to expand its urban growth boundaries to include tracts of land that are 10 acres or smaller when certain criteria are met. Amends TCA Section 6-58-104.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 6-58-104, is amended by adding the following as a new, appropriately designated subsection:

(1) Notwithstanding any other provision of this section to the contrary, a municipality may expand its urban growth boundaries to include any tract of land that is ten (10) acres or smaller, if and only if:

(A) The tract is contiguous to a tract of land that has the same owner and has already been annexed by the municipality;

(B) The tract is being provided water and sewer services; and

(C) The owner of the tract consents to being included within the urban growth boundaries.

(2) If a municipality amends its urban growth boundaries pursuant to this subsection, it shall not be necessary for the coordinating committee to reconvene and it shall not require approval from the county or any other municipality within the county. Approval of an amendment to the urban growth boundary under this subdivision shall only be required from the governing body of the municipality involved. After the proposed amendment is approved by the governing body of the municipality, the amendment shall become part of the county's growth plan.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and is hereby repealed on July 1, 2012.

Mr. Speaker Ramsey moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3489**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2462 -- Sunset Laws -- As introduced, extends Tennessee medical examiner advisory council, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 38, Chapter 7, Part 2.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2462**, which motion prevailed by the following vote:

Ayes	20
Noes	7

Senators voting aye were: Barnes, Beavers, Black, Bunch, Burchett, Crowe, Faulk, Gresham, Herron, Johnson, Kelsey, Ketron, McNally, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--20.

Senators voting no were: Burks, Ford, Harper, Haynes, Henry, Kyle and Marrero--7.

Senator Watson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 2462**, which motion prevailed.

Madame Speaker Pro Tempore Woodson moved that **Senate Joint Resolution No. 978** be placed on the next Message Calendar, which motion prevailed.

CALENDAR NO. 1

House Bill No. 670 -- Criminal Procedure -- As introduced, requires a keeper of a jail to notify the Department of Homeland Security by facsimile transmission or other means of prisoners

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whose citizenship status in this country cannot be determined at time of arrest from documents in the prisoner's possession or if person is in this country illegally. Amends TCA Title 40, as amended.

Senator Overbey moved that the Senate reconsider its action in adopting Senate Amendment No. 27 to **House Bill No. 670**, as amended, which motion prevailed.

Senator Overbey moved that Senate Amendment No. 27 to **House Bill No. 670**, as amended, be withdrawn, which motion prevailed.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 30

AMEND by deleting the language "or the state Criminal Alien Assistance Program" in the amendatory language of Section 1 of the bill as amended.

On motion, Amendment No. 30 was adopted.

On motion of Senator Ketron, Amendment No. 31 was withdrawn.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 32

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than one hundred seven thousand one hundred (107,100) nor more than one hundred seven thousand two hundred (107,200) according to the 2000 federal census or any subsequent federal census.

Pursuant to Rule 39(3), Amendment No. 32 was adopted by the following vote:

Ayes	25
Noes	6
Present, not voting . . .	1

Senators voting aye were: Barnes, Berke, Bunch, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--25.

Senators voting no were: Beavers, Black, Burchett, Burks, Gresham and Tracy--6.

Senator present and not voting was: Kelsey--1.

Thereupon, **House Bill No. 670**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	3

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Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Haynes, Herron, Johnson, Kelsey, Ketron, Kyle, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--28.

Senators voting no were: Harper, Henry and Marrero--3.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 83(8) be suspended for the purpose of allowing any bills referred to the Committee on Finance, Ways and Means to be immediately placed on the calendar for the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Norris moved that Rule 39(3) be suspended for the purpose of allowing amendments filed to **Senate Bills Nos. 3901, 3911, 3916, 3917, 3918 and 3919** prior to Senate Session at 6:00 p.m., Thursday, May 27, 2010, be considered timely filed, which motion prevailed.

RECESS

Senator Norris moved the Senate stand in recess until 6:00 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker Ramsey.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

STANDING COMMITTEE REPORT

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 3880 with amendments, 3901 with amendments and 3919 with amendments.

MCNALLY, Chairperson
May 27, 2010

The Speaker announced that he had referred Senate Bills Nos. 3880 with amendments, 3901 with amendments and 3919 with amendments to the Committee on Calendar.

MOTION

Senator Faulk moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1370**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1370 -- Naming and Designating -- Designates Union County as "The Cradle of Country Music".

On motion of Senator Faulk, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1370** was concurred in.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering **Senate Bill No. 3956**, out of order, which motion prevailed.

Senate Bill No. 3956 -- Ripley -- As introduced, subject to local approval by referendum, establishes the Ripley Energy Authority. Amends Chapter 128 of the Private Acts of 2006.

On motion, Senate Bill No. 3956 was made to conform with **House Bill No. 3997**.

On motion, House Bill No. 3997, on same subject, was substituted for Senate Bill No. 3956.

House Bill No. 3997 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1376**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1376 -- General Assembly, Recess & Reconvene -- Recesses 106th General Assembly at close of business on May 27, 2010, and reconvenes both houses at 2:00 p.m. on June 2, 2010.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1376** was concurred in.

CALENDAR NO. 1

Senate Bill No. 3110 -- Courts -- As introduced, revises various provisions of the Tennessee Court Reporter Act of 2009. Amends TCA Title 4; Title 20 and Title 24.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 20-9-603, is amended by adding the following new subsection (c):

(c) Notwithstanding any law to the contrary, a licensed court reporter is not required to be a notary public to record any court proceeding, administrative law proceeding, deposition or any other proceeding. A transcript taken and submitted by a licensed court reporter is not required to be notarized. A licensed court reporter is authorized to administer oaths and swear in witnesses.

SECTION 2. Tennessee Code Annotated, Section 20-9-603, is amended by adding the following new subsection (d):

(d) This part shall not apply to court reporting services paid for by a federal agency or other instrumentality of the United States.

SECTION 3. Tennessee Code Annotated, Section 20-9-608, is amended by deleting the language "January 1, 2010" and substituting instead the language "January 1, 2011".

SECTION 4. Tennessee Code Annotated, Section 20-9-611, is amended by inserting the following between the first and second sentences:

All licenses shall expire June 30 in the year of expiration and all renewals will be effective July 1; provided, however, an initial license not issued on July 1 shall be valid from the date of issuance until June 30 of the second year from the June 30 preceding the date of issuance. The board shall impose a prorated fee for any license that is for a period less than twenty-four (24) months.

SECTION 5. Tennessee Code Annotated, Section 20-9-613, is amended by deleting the language "on July 1, 2009" wherever it appears and substituting instead the language "on or before January 1, 2010".

SECTION 6. Tennessee Code Annotated, Section 20-9-613(a), is amended by deleting the present subsection (a) and substituting instead the following new subsection (a) and adding a new subsection (c):

(a) Any person who is engaged in the practice of court reporting on or before January 1, 2010, and who:

(1) Provides to the board an affidavit setting forth past education and work experience as a court reporter and:

(A) An affidavit of a judge for whom the person has worked as an official court reporter;

(B) Affidavits of three (3) licensed attorneys; or

(C) Affidavits of two (2) licensed attorneys and one (1) court reporting firm owner, unrelated by blood or marriage to the person, and who have utilized the services of the court reporter or the affidavit of the court reporting firm owner may state that the applicant has engaged in the practice of court reporting, which attest to the court reporter's proficiency in court reporting;

(2) Provides proof of passage of the National Court Reporters Association Registered Professional Reporter examination, the National Verbatim Reporters Association Certified Verbatim Reporter examination, or the American Association of Electronic Reporters and Transcribers Certified Electronic Court Reporter examination; or

(3) Provides proof of a court reporter license issued by any state; provided, that the state has the same or more stringent requirements of this chapter; and upon payment of a fee in an amount determined by the board, shall be licensed to practice as a court reporter.

(c) The deadline for receiving applications under subsections (a) and (b) of this section shall be July 1, 2011.

SECTION 7. Tennessee Code Annotated, Section 20-9-608, is amended by deleting the language "one thousand dollars (\$1,000)" and substituting instead the language "five hundred dollars (\$500)".

SECTION 8. Tennessee Code Annotated, Section 20-9-616(c), is amended by deleting the period at the end of the subsection and by adding the following language:

; except for the initial expenses of the board prior to the collection of licensure fees sufficient to defray such expenses.

SECTION 9. Tennessee Code Annotated, Section 24-9-135, is amended by adding the following new subdivision (3) and renumbering the existing subdivisions accordingly:

(3) A licensed court reporter;

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 10 and substituting instead the following sections:

SECTION 10. Tennessee Code Annotated, Section 20-9-603, is amended by adding the following new subsection (e):

(e) This part shall not apply to court reporting services provided pursuant to Title 40.

SECTION 11. Tennessee Code Annotated, Section 20-9-604(b), is amended by deleting the words "official court reporter employed by the state" and substituting instead the words "court reporter".

SECTION 12. Tennessee Code Annotated, Section 20-9-605(4), is amended by deleting all language following the semicolon after the word "licenses".

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 3110**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3174 -- Taxes, Real Property -- As introduced, designates procedures for delinquent tax sales when delinquent taxes are owed to both municipality and county. Amends TCA Title 67, Chapter 5, Part 25.

On motion, Senate Bill No. 3174 was made to conform with **House Bill No. 3190**.

On motion, House Bill No. 3190, on same subject, was substituted for Senate Bill No. 3174.

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On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3190** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Finney moved that **Senate Bill No. 3198** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 3333 -- Electricity -- As introduced, authorizes a G&T cooperative to make payments in lieu of taxes to any state or local taxing jurisdiction under certain circumstances. Amends TCA Title 48 and Title 67.

Senator McNally moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 48-69-103(6), is amended by deleting the semicolon at the end of subsection (6) and by adding the following language:

, and "governmental electric system" may, at the election of the G&T cooperative for purposes of membership in the G&T cooperative, include the Tennessee Valley Authority, all as provided in the bylaws of the G&T cooperative.

SECTION 2. Tennessee Code Annotated, Section 48-69-106(b), is amended by adding the following language as a new subdivision:

(13) Enter into one (1) or more agreements providing for the making of payments in lieu of taxation to any state or local taxing jurisdiction within or outside this state to the extent that the G&T cooperative's wholesale sale of capacity and energy to a member or patron of the G&T cooperative results in a diminution in payments in lieu of taxation from the Tennessee Valley Authority to such state and local governments. For purposes of this subdivision (b)(13), "payments in lieu of taxation" means payments made by the Tennessee Valley Authority to state and local governments on account of its gross proceeds under § 13 of the Tennessee Valley Authority Act of 1933, compiled in 16 U.S.C. § 831l. All such payments shall be ordinary operating expenses of the G&T cooperative.

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 4, is amended by adding the following as a new part:

§ 67-4-3101.

(a) It is the intention of this part to establish an obligation to make in lieu of tax payments to help keep Tennessee and its local governments whole from any diminution in the in lieu of tax payments paid by the Tennessee Valley Authority on account of the provision of wholesale electric current to municipal utilities, electric cooperatives and other similar entities for resale within the state by sources other than the Tennessee Valley Authority. Accordingly, each person, including each governmental and cooperatively organized person, engaged in the business of making covered wholesale sales of electric current to a municipality, electric cooperative or other similar customer shall, for the privilege of doing such business, remit to the state for state purposes a payment in lieu of tax in an amount to be calculated in accordance with subsection (b).

(b)(1) For purposes of this section:

(A) "Covered wholesale sales of electric current" means wholesale sales of electric current for resale within any area where the Tennessee Valley Authority is the primary source of wholesale power as of the effective date of this act;

(B) "Gross receipts" means the total gross receipts derived from all covered wholesale sales of electric current;

(C) "Tennessee apportioned gross receipts" means gross receipts multiplied by a ratio obtained by taking the arithmetical average of the following two ratios:

(i) The percentage by which the gross receipts derived from covered wholesale sales of electric current occurring within Tennessee bears to the total gross receipts derived from all covered wholesale sales of electric current; and

(ii) The percentage by which the book value of the power property held in Tennessee by the seller of covered wholesale sales of electric current bears to the book value of all power property held by the seller of covered wholesale sales of electric current. The book value of power property shall include that portion of the investment allocated or estimated to be allocable to power.

(2) The payment in lieu of tax required pursuant to subsection (a) shall equal five percent (5%) of the Tennessee apportioned gross receipts of the person making covered wholesale sales of electric current.

(c) There shall be credited upon the in lieu of tax payments required by this section any taxes paid pursuant to Parts 3, 4, 20, or 21 of Chapter 4 of this title by or on behalf of the person engaged in a covered wholesale sale of electric current on account of the ownership or operation of electric generation facilities and other property used to generate, transmit or distribute such electric current. There shall be further credited upon the in lieu of tax payments required by this section any ad valorem taxes or payments in lieu of ad valorem taxes paid to the State of Tennessee or local governments within the state by or on behalf of the person engaged in a covered wholesale sale of electric current on account of the ownership or operation of electric generation facilities and other property used to generate, transmit or distribute such electric current.

(d) If the person making covered wholesale sales of electric current does not make the required in lieu of tax payment calculated in accordance with subsections (b) and (c), then each municipality, electric cooperative or other similar customer engaged in making use of covered wholesale sales of electric current shall be responsible for making such payment in lieu of taxes applicable to the customer's use of such power and energy. Only one (1) in lieu of tax payment shall be required for a single sale and use of a covered wholesale sale of electric current.

(e) This section and the required in lieu of tax payments do not apply to any wholesale sale of electric current to or by the Tennessee Valley Authority or to any power property held by or attributed to the Tennessee Valley Authority.

(f) Any in lieu of tax payment collected pursuant to this section shall be added to the amounts received by the state from payments in lieu of taxes from the Tennessee Valley Authority and the combined amount shall then be distributed according to the provisions of § 67-9-101.

(g) Except as otherwise specifically provided in this section, the in lieu of tax obligations required by this section shall be administered and collected in the same manner as privilege taxes are administered and collected under Part 3 of this chapter.

SECTION 4. The Tennessee advisory commission on intergovernmental relations is directed to continue to monitor, within existing resources, whether the current wholesale power supply arrangements between the Tennessee Valley Authority and municipal utilities and electric cooperatives are likely to change in the future in a way that could affect payments in lieu of taxes from the Tennessee Valley Authority to the state and to its local governments. No later than February 1, 2011 and annually thereafter, the Tennessee advisory commission on intergovernmental relations shall report written findings to the Commerce, Labor and Agriculture Committee of the Senate; the Commerce Committee of the House of Representatives; the Finance, Ways and Means Committee of the Senate; and the Finance, Ways and Means Committee of the House of Representatives. The report shall include recommendations, if any, on adjustments to the state tax system that would keep the state and local governments whole from such future changes.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3333**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3398 -- Highway Signs -- As introduced, "American Prisoners of War Pathway", Shelby Street Bridge in Nashville.

On motion, Senate Bill No. 3398 was made to conform with **House Bill No. 3660**.

On motion, House Bill No. 3660, on same subject, was substituted for Senate Bill No. 3398.

On motion of Senator McNally, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3660** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 3415 -- Public Funds and Financing -- As introduced, removes specific authority for Johnson City to implement redevelopment districts with tax increment financing; and provides for allocation and payment of property taxes on redevelopment districts subject to tax increment financing. Amends TCA Title 13, Chapter 20.

Senator Ketron moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator McNally moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-20-202, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) For the purposes of this part, a development authority created by private act and designated by a municipality as its housing and redevelopment authority for purposes of this part shall also be considered a housing authority and shall have the power to enter into an economic development agreement as defined in § 4-17-302(2) and the powers delineated in this part, in which housing authority redevelopment powers are vested, as long as public notice required in § 13-20-203 is provided; provided, however, a municipality shall not so designate a development authority if the housing authority, if any, created by the municipality has ever issued any obligations secured by tax increment revenues and in any event such designation shall only be effective if the municipality shall first obtain the written consent of the housing authority, if any, created by the municipality. Any redevelopment plan previously prepared by a development authority created pursuant to any such private act and approved by a municipality shall be deemed authorized by this subsection (c) and shall be deemed a valid redevelopment plan for purposes of this part.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 3415**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3431 -- Sentencing -- As introduced, diverts certain non-violent property offenders from sentence of incarceration to sentence to community correction, probation or diversion program and increases percentage of sentence person convicted of aggravated robbery with weapon must serve from 30 percent to 85 percent. Amends TCA Title 40, Chapter 35.

On motion, Senate Bill No. 3431 was made to conform with **House Bill No. 2813**.

On motion, House Bill No. 2813, on same subject, was substituted for Senate Bill No. 3431.

Senator Henry moved that Amendment No. 6 be considered first, which motion prevailed.

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Senator Henry moved that **House Bill No. 2813** be placed on the next Calendar, which motion prevailed.

Senate Bill No. 3518 -- Unemployment Compensation -- As introduced, requires the weekly benefit amount to be paid by electronic transfer to a specific bank account if requested by the claimant; revises certain amounts concerning benefits paid by check. Amends TCA Title 50, Chapter 7.

On motion, Senate Bill No. 3518 was made to conform with **House Bill No. 3421**.

On motion, House Bill No. 3421, on same subject, was substituted for Senate Bill No. 3518.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator Johnson, Amendment No. 2 was withdrawn.

On motion of Senator Johnson, Amendment No. 3 was withdrawn.

Thereupon, **House Bill No. 3421** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3536 -- Real Estate Agents and Brokers -- As introduced, removes various requirements applicable to vacation lodging businesses under the Tennessee Real Estate Broker License Act. Amends TCA Section 62-13-104.

Senator Yager declared Rule 13 on **Senate Bill No. 3536**.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-13-104(a), is amended by placing a period after the language "act is performed" and by deleting the language "; or" and subdivision (7) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 62-13-104(a), is further amended by adding the following language at the end of the subdivision:

In addition, except as provided in subsection (b), no other provisions of this chapter or any rules and regulations promulgated pursuant thereto shall apply to vacation lodging services.

SECTION 3. Tennessee Code Annotated, Section 62-13-104(b)(1), is amended by adding the following language as a new subdivision (C):

(C) "Designated agent" means an owner, principal, officer or upper level manager of a vacation lodging service firm.

SECTION 4. Tennessee Code Annotated, Section 62-13-104(b)(2), is amended by deleting the language "firm license" and by inserting the language "vacation lodging service firm license".

SECTION 5. Tennessee Code Annotated, Section 62-13-104(b)(2), is further amended by deleting the last sentence of the subdivision.

SECTION 6. Tennessee Code Annotated, Section 62-13-104(b)(3)(A), is amended by deleting the language "Firm licenses" and by substituting instead the language "Vacation lodging service firm licenses", and by deleting the period at the end of the subdivision and adding the language ", handicap or familial status."

SECTION 7. Tennessee Code Annotated, Section 62-13-104(b)(3)(B), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(B)(i) Upon application for a firm license for a vacation lodging service and each renewal of the license, the firm shall designate one (1) individual from that firm who shall be individually licensed as a designated agent through the Tennessee Real Estate Commission. Such designated agent shall be responsible for the completion of training programs to be taught by an individual in the vacation lodging services business or other person who meets qualifications set by the Tennessee Real Estate Commission. Such training programs shall consist of instruction in the fundamentals of this subsection (b) and related topics.

(ii) Every two (2) years, as a requisite for the reissuance of a firm license for a vacation lodging service and for reissuance of the designated agent license, the firm shall furnish certification that the designated agent for the firm has completed eight (8) classroom hours in training programs approved by the commission.

(iii) No examination shall be required for the issuance or renewal of a firm license for a vacation lodging service.

SECTION 8. Tennessee Code Annotated, Section 62-13-104(b), is amended by inserting the following language as a new, appropriately designated subdivision:

() (A) If a designated agent, as designated by a vacation lodging service firm, leaves or moves from the vacation lodging service firm, the firm or designated agent for such firm must notify the Tennessee Real Estate Commission within ten (10) days of such action. The vacation lodging service firm must replace

the designated agent within sixty (60) days of such action and notify the commission of the name of the new designated agent. During such time period, all rules or regulations related to a vacation lodging service firm shall remain in full force and effect with respect to such a vacation lodging service firm until a designated agent is replaced. Any obligation or duty required to be fulfilled by the designated agent shall be fulfilled by another person in the vacation lodging service firm.

(B) A designated agent may serve as a designated agent for multiple offices of the same vacation lodging service firm within a fifty (50) mile radius of the principal office of the firm, but may not serve as a designated agent for multiple firms.

SECTION 9. Tennessee Code Annotated, Section 62-13-104(b)(3)(C), is amended by deleting subdivision (iii) in its entirety.

SECTION 10. Tennessee Code Annotated, Section 62-13-104(b)(3)(D)(ii), is amended by adding the following language at the end of the subdivision:

A vacation lodging service firm working under an irrevocable letter of credit must submit satisfactory proof of such letter of credit by April 1 of each year. The commission may impose a penalty for failure to disclose such proof by such date.

SECTION 11. Tennessee Code Annotated, Section 62-13-104(b)(4), is amended by deleting the language "All firm licenses" and by substituting instead the language "All firm and designated agent licenses".

SECTION 12. Tennessee Code Annotated, Section 62-13-104(b)(4), is further amended by adding the following language after the first sentence:

The firm license and the license for the designated agent for the firm, and all renewals thereof, shall expire at the same time. If a license is issued to a designated agent following the date the firm license is issued or renewed, the license for the designated agent shall be issued or renewed so that it expires on the date the license of the firm is to expire.

SECTION 13. Tennessee Code Annotated, Section 62-13-104(b)(6), is amended by deleting the language "any person" and by substituting instead the language "any lodging rental customer or lodging rental owner".

SECTION 14. Tennessee Code Annotated, Section 62-13-104(b), is amended by adding the following language as a new subdivision (9):

(9) The Tennessee Real Estate Commission is authorized to promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act, Title 4, Chapter 5, to implement this subsection (b).

SECTION 15. For purposes of promulgating necessary rules and regulations to implement this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2011, the public welfare requiring it.

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On motion, Amendment No. 1 was adopted.

Senator Overbey moved that **Senate Bill No. 3536**, as amended, be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senator Jackson moved that **Senate Bill No. 3644** be placed on the next Calendar, which motion prevailed.

Senate Bill No. 3685 -- Taxes, Real Property -- As introduced, increases the amounts that may be charged regarding the filing of an application for exemption from property taxes as a religious, charitable, scientific, or educational institution and the costs of a hearing on the assessment of property taxes; and removes the prohibition against assessing fees over \$1.00 per parcel for electronically filed appeals until the actual appeal forms are filed. Amends TCA Section 67-5-1501 and Section 67-5-21.

On motion, Senate Bill No. 3685 was made to conform with **House Bill No. 3608**.

On motion, House Bill No. 3608, on same subject, was substituted for Senate Bill No. 3685.

Senator McNally moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 67-5-1501, is amended by substituting the language "seven dollars (\$7.00)" for the language "five dollars (\$5.00)" and the language "one hundred twenty dollars (\$120)" for the language "one hundred dollars (\$100)" and the language "two dollars (\$2.00)" for the language "one dollar (\$1.00)" in subsection (d).

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 3608**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	2

Senators voting aye were: Barnes, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

Senators voting no were: Gresham and Tracy--2.

A motion to reconsider was tabled.

Senate Bill No. 3846 -- Medical Occupations -- As introduced, removes present law regarding screening panels; revises the duties of the director of the division of health related boards; and revises present law regarding the division, licensure to practice medicine, and veterinarians. Amends TCA Title 63.

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On motion, Senate Bill No. 3846 was made to conform with **House Bill No. 3805**.

On motion, House Bill No. 3805, on same subject, was substituted for Senate Bill No. 3846.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3805** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Stewart moved that **Senate Bill No. 3851** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 3865 -- Children's Services, Dept. of -- As introduced, increases membership of children's services advisory council from 15 to 17; expands members' term length from three to four years; requires council to make an annual report. Amends TCA Title 37, Chapter 5.

On motion, Senate Bill No. 3865 was made to conform with **House Bill No. 3850**.

On motion, House Bill No. 3850, on same subject, was substituted for Senate Bill No. 3865.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3850** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3873 -- Correctional Programs -- As introduced, includes operation of transitional facilities within meaning of "correctional services" for purposes of the Private Prison Contracting Act of 1986; defines "transitional facilities" as certain institutions where offenders who are close to release from prison are provided transitional services. Amends TCA Section 41-24-102.

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On motion, Senate Bill No. 3873 was made to conform with **House Bill No. 3788**.

On motion, House Bill No. 3788, on same subject, was substituted for Senate Bill No. 3873.

On motion of Senator McNally, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3788** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3874 -- Unemployment Compensation -- As introduced, removes provisions regarding board of review and revises procedures governing review of claims. Amends TCA Section 50-7-304; Section 50-7-601; Section 50-7-701; Section 50-7-702; Section 50-7-703 and Section 50-7-708.

On motion, Senate Bill No. 3874 was made to conform with **House Bill No. 3789**.

On motion, House Bill No. 3789, on same subject, was substituted for Senate Bill No. 3874.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3789** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3905 -- Prisons and Reformatory Institutions -- As introduced, increases from six to nine months after date of employment the time period within which a correctional officer must complete appropriate basic training at the Tennessee corrections institute; removes requirement that dentist appointed to perform dental work for corrections and mental health institutions must be licensed in Tennessee. Amends TCA Title 4 and Title 41.

On motion, Senate Bill No. 3905 was made to conform with **House Bill No. 3792**.

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On motion, House Bill No. 3792, on same subject, was substituted for Senate Bill No. 3905.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

On motion of Senator Ketron, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 3792** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3909 -- Forfeiture of Assets -- As introduced, authorizes internal affairs director and agents of department to seize conveyances subject to forfeiture and have disposition of same inure to benefit of the department. Amends TCA Section 39-17-420; Title 40, Chapter 33, Part 1; Title 53, Chapter 11 and Title 55, Chapter 5, Part 1.

On motion, Senate Bill No. 3909 was made to conform with **House Bill No. 3784**.

On motion, House Bill No. 3784, on same subject, was substituted for Senate Bill No. 3909.

House Bill No. 3784 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Mr. Speaker Ramsey moved that **House Joint Resolution No. 30** be placed on the next Calendar, which motion prevailed.

House Joint Resolution No. 793 -- Highway Signs -- "Rear Admiral Jerry Creighton Breast Highway", segment of State Route 64 in Bedford County.

House Joint Resolution No. 793 was concurred in by the following vote:

Ayes	32
Noes	0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

House Joint Resolution No. 1019 -- General Assembly, Statement of Intent or Position -- Commends the Republic of China (Taiwan) for its relations with the United States and for other purposes.

House Joint Resolution No. 1019 was concurred in by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

House Joint Resolution No. 1207 -- Memorials, Sports -- Jackson County High School girls basketball team, Class A State Champions.

Senator Burks moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the first resolving clause and substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we hereby honor and congratulate Coach Jim Brown and the Jackson County High School girls basketball team upon winning the 2010 TSSAA Class A Girls Basketball State Championship and wish them success in every future endeavor.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Joint Resolution No. 1207**, as amended, was concurred in by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Berke moved that **Senate Bill No. 1444** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 1472 -- Education -- As introduced, requires graduating high school students to take a foreign language proficiency test that will provide diagnostic information to educators. Amends TCA Title 49, Chapter 6, Part 60.

On motion, Senate Bill No. 1472 was made to conform with **House Bill No. 209**.

On motion, House Bill No. 209, on same subject, was substituted for Senate Bill No. 1472.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. The Department of Education, working with the Confucius Institute at the University of Memphis and the Confucius Institute at Middle Tennessee State University, shall study and assess the Hanyu Shuiping Kaoshi (HSK) proficiency tests, which were developed using the latest research methodology in foreign language testing for non-native speakers. The HSK tests measure non-native speakers' ability to use the Chinese language in work, studies and personal life situations. The department shall specifically study the development of the young learners' test (YCT), which measures proficiency in Chinese for students fifteen (15) years of age or younger, and its standards. Such study shall be performed for the purpose of establishing a pilot program modeled on the development of HSK testing that will aid in the construction of diagnostic tools for the determination of mastery and proficiency in other foreign languages at the elementary and secondary levels.

SECTION 2. The University of Tennessee system, the board of regents and their institutions, working with the Confucius Institute at the University of Memphis and the Confucius Institute at Middle Tennessee State University, shall study and assess the Hanyu Shuiping Kaoshi (HSK) proficiency tests, which were developed using the latest research methodology in foreign language testing for non-native speakers. The HSK tests measure non-native speakers' ability to use the Chinese language in work, studies and personal life situations. The systems and their institutions shall specifically study the development of the proficiency tests for non-native speakers (HSK) and the business Chinese test (BCT) and their standards. Such study shall be performed for the purpose of establishing a pilot program modeled on the development of the HSK testing that will aid in the construction of diagnostic tools for the determination of mastery and proficiency in other foreign languages at the postsecondary level.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 209**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Bunch moved that **Senate Bill No. 2033** be placed on the next Calendar, which motion prevailed.

Senate Bill No. 2297 -- Abuse -- As introduced, enacts the "Elderly and Disabled Adults Protection Act of 2009". Amends TCA Title 33; Title 34; Title 63; Title 68 and Title 71.

On motion, Senate Bill No. 2297 was made to conform with **House Bill No. 2284**.

On motion, House Bill No. 2284, on same subject, was substituted for Senate Bill No. 2297.

Senator Finney moved that **House Bill No. 2284** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senator Watson moved that **Senate Bill No. 2424** be placed on the next Calendar, which motion prevailed.

Senate Bill No. 2449 -- Sunset Laws -- As introduced, extends the board of nursing, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 2.

On motion, Senate Bill No. 2449 was made to conform with **House Bill No. 2600**.

On motion, House Bill No. 2600, on same subject, was substituted for Senate Bill No. 2449.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 63-7-201, is amended by deleting the section in its entirety and by substituting instead the following:

Section 63-7-201.

(a) There is created a board to be known as the "board of nursing", composed of eleven (11) members, referred to in this chapter as "board", appointed by the governor in the manner and for the terms of office as provided in this section.

(b) The board shall be composed of five (5) members who are registered nurses, three (3) members who are licensed practical nurses, two (2) members who are advanced practice nurses, and one (1) member who is not a nurse and who is not commercially or professionally associated with the health care industry.

(1) Nomination of Candidates. Members of the board may be appointed by the governor from lists of nominees submitted by their respective organizations. Each list may contain up to three (3) times as many names as the number of appointments to be made. Lists of nominees shall be submitted at least forty-five (45) days prior to the expiration of the term of office of any members of the board.

(2) Qualifications.

(A) Each registered nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a registered nurse in Tennessee;

(iii) Be currently engaged in the practice of nursing as a registered nurse; and

(iv) Have had no fewer than five (5) years of experience as a registered nurse, at least three (3) of which immediately preceded appointment.

(B) Each licensed practical nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a licensed practical nurse in this state;

(iii) Be currently engaged in the practice of nursing as a licensed practical nurse; and

(iv) Have had no fewer than five (5) years of experience as a licensed practical nurse, at least three (3) of which immediately preceded appointment.

(C) Each advanced practice nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a registered nurse in Tennessee;

(iii) Be currently certified in good standing as an advanced practice nurse in Tennessee;

(iv) Be currently engaged in the practice of nursing as an advanced practice nurse; and

(v) Have had no fewer than five (5) years experience as an advanced practice nurse, at least three (3) of which immediately preceded appointment.

(D) The representative of the public appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Not have direct or indirect financial interest in healthcare services;

(iii) Neither be nor ever have been a healthcare provider or be enrolled in any health-related educational program; and

(iv) Not be a member or employee of any board of control of any public or private healthcare organization.

(3) Lobbyist prohibition.

(A) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(i) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (A)(i) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(ii) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity

whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (A)(ii) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(iii) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (A)(iii) shall apply to persons serving on the board as of July 1, 2010, and to persons appointed to the board subsequent to such date.

(B) A person who violates the provisions of this subdivision (3) shall be subject to the penalties prescribed in Title 3, Chapter 6.

(C) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subdivision (3). All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(4) Vacancies. Vacancies on the board created by the expiration of terms of office or otherwise shall be filled for the unexpired terms by appointment by the governor in like manner.

(c) In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

SECTION __. Tennessee Code Annotated, Section 63-7-202, is amended by deleting the section in its entirety.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 2600**, as amended, passed its third and final consideration by the following vote:

Ayes 27
Noes 4

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Ford, Gresham, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

Senators voting no were: Harper, Haynes, Henry and Marrero--4.

A motion to reconsider was tabled.

Senate Bill No. 2451 -- Sunset Laws -- As introduced, extends board of pharmacy, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10.

On motion, Senate Bill No. 2451 was made to conform with **House Bill No. 2598**.

On motion, House Bill No. 2598, on same subject, was substituted for Senate Bill No. 2451.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 of the bill in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding a new subdivision thereto, as follows:

() Board of pharmacy, created by § 63-10-301;

On motion, Amendment No. 1 was adopted.

Senator Watson moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 3

AMEND by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 63-10-302, is amended by deleting the section in its entirety and substituting instead the following:

Section 63-10-302.

(a) The governor shall appoint the members of the board, and shall make appointments so that the pharmacist members of the board shall be graduates of a recognized school or college of pharmacy. In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that one (1) person serving on the board is a member of a racial minority.

(b) No pharmacist shall be eligible for appointment to the board unless such person has been a pharmacist under this or some other law of this state for a period of at least five (5) years, and during the terms of such person's incumbency shall be actively engaged in the practice of pharmacy.

(c) No consumer shall be eligible for appointment to the board to represent the public at large unless such person has been a resident of Tennessee for at least five (5) years, currently resides in Tennessee and is a non-healthcare professional by education. The consumer member shall not own, or have any financial or other interest in, any healthcare facility or business.

(d)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(B) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the board as of July 1, 2010, and to persons appointed to the board subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled

in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(e) The terms of appointment shall be for six (6) years, or until their successors have qualified, and no member of the board is eligible for reappointment.

(f) The Tennessee Pharmacists Association may annually recommend five (5) duly qualified persons for each vacancy from whom the governor may be requested to make appointments. Appointees to the board shall, within ten (10) days after appointment, make oath or affirmation to be filed with the secretary of state that they will faithfully and impartially perform their duties.

(g) Members guilty of misconduct may be removed by the governor upon the recommendation of the remaining members. Vacancies occurring other than by expiration of terms may be filled as to unexpired terms by the governor from the most recent list of nominees of the Tennessee Pharmacists Association.

On motion, Amendment No. 3 was adopted.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Senator Watson moved that **House Bill No. 2598**, as amended, be placed on the next Calendar, which motion prevailed.

MOTION

Senator Norris moved that Rule 37 be suspended for the purpose of allowing any bills to be placed on the calendar for Wednesday, June 2, 2010, if recommended for passage by the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Watson moved that **House Bill No. 2452** be returned to the House, which motion prevailed.

MOTION

Senator Watson moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 1275**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 1275 -- Memorials, Recognition -- Darde Long, 25th anniversary as director of the Chattanooga Zoo.

On motion of Senator Watson, the rules were suspended for the immediate consideration of the resolution.

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On motion, **Senate Joint Resolution No. 1275** was adopted.

MOTION

On motion of Senators Ford and Marrero, their names were added as sponsors of **House Joint Resolutions Nos. 1333, 1334, 1335, 1336, 1337, 1338 and 1339.**

On motion of Senators Harper, Tracy, Norris and Overbey, their names were added as sponsors of **House Joint Resolution No. 1340.**

On motion of Senator Marrero, her name was added as sponsor of **House Joint Resolution No. 1341.**

On motion of Senator Stewart, his name was added as sponsor of **House Joint Resolution No. 1344.**

On motion of Senators Norris, Beavers and Ford, their names were added as sponsors of **House Joint Resolution No. 1346.**

On motion of Senators Norris, Ford, Bunch and Watson, their names were added as sponsors of **House Joint Resolution No. 1347.**

On motion of Senators Norris and Ford, their names were added as sponsors of **House Joint Resolution No. 1349.**

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolution No. 1350.**

On motion of Senators Black and Marrero, their names were added as sponsors of **House Joint Resolutions Nos. 1351 and 1352.**

On motion of Senator Overbey, his name was added as sponsor of **Senate Bills Nos. 2785 and 3290; and House Joint Resolution No. 1354.**

On motion of Senators Beavers, Berke and Tracy, their names were added as sponsors of **Senate Joint Resolution No. 1219.**

On motion of Senators Norris, Overbey, Beavers, Gresham, Ford, Tracy, Henry, Burks, Herron and Berke, their names were added as sponsors of **Senate Joint Resolution No. 1220.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolutions Nos. 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230 and 1233.**

On motion of Senators Beavers and Tracy, their names were added as sponsors of **Senate Joint Resolutions Nos. 1231 and 1232.**

On motion of Senator Berke, his name was added as sponsor of **Senate Joint Resolutions Nos. 1235 and 1268; and Senate Bills Nos. 3110 and 3059.**

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On motion of Senators Harper and Herron, their names were added as sponsors of **Senate Joint Resolution No. 1251**.

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolution No. 1252**.

On motion of Senators Overbey, Tracy, Henry and Herron, their names were added as sponsors of **Senate Joint Resolution No. 1254**.

On motion of Senators Berke and Marrero, their names were added as sponsors of **Senate Joint Resolution No. 1275**.

On motion of Senators Haynes and Henry, their names were added as sponsors of **Senate Resolution No. 228**.

On motion of Senators Herron and Kelsey, their names were added as sponsors of **Senate Bill No. 3431**.

On motion of Senators Henry, Burchett and Marrero, their names were added as sponsors of **House Joint Resolution No. 1019**.

On motion of Senators Burks and Tracy, their names were added as sponsors of **House Joint Resolution No. 1207**.

On motion, all Senators' names were added as sponsor of **House Joint Resolutions Nos. 1353 and 1355**.

On motion of Senator Burchett, his name was added as sponsor of **Senate Bill No. 3100**.

On motion of Senators Haynes and Yager, their names were added as sponsors of **Senate Bill No. 3341**.

On motion of Senators Yager and Overbey, their names were added as sponsors of **Senate Bill No. 3598**.

On motion of Senator Black, her name was added as sponsor of **House Joint Resolution No. 704**.

On motion of Senator Burks, her name was added as sponsor of **Senate Bills Nos. 3865, 3873 and 3905**.

On motion of Senator Faulk, his name was added as sponsor of **Senate Bill No. 844**; and **House Joint Resolution No. 1051**.

On motion of Senator Southerland, his name was added as prime sponsor of **Senate Bill No. 862**.

On motion of Senator Black, her name was removed as sponsor of **Senate Bill No. 862**.

On motion of Senator Tracy, his name was added as sponsor of **House Joint Resolution No. 1253**.

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ENGROSSED BILLS

May 27, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 3110, 3333 and 3415; and Senate Joint Resolutions Nos. 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1235, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1256, 1257, 1258, 1259, 1261, 1262, 1263, 1268 and 1275; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3989, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1356, 1357 and 1358; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1360, 1361, 1362, 1363, 1365, 1366, 1367, 1369 and 1370; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 1376, adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1916, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 27, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1255, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

May 28, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1916, 2488, 3489 and 3687; and Senate Joint Resolutions Nos. 784 and 1255; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

May 28, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 227 and 228, and find same correctly enrolled and ready for the signature of the Speaker.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

May 28, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 793, 1019, 1370 and 1376; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1344, 1345, 1346, 1347, 1349, 1350, 1351, 1352, 1353, 1354 and 1355; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

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SIGNED

May 27, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 966, 2411, 2636, 2638, 3119, 3222, 3317, 3474 and 3843.

SIGNED

May 27, 2010

The Speaker announced that he had signed the following: House Bills Nos. 2485, 2486, 2612, 2616, 2617, 2619, 2866, 2952, 3025, 3355, 3480, 3537, 3538 and 3543.

SIGNED

May 28, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 784 and 1255.

SIGNED

May 28, 2010

The Speaker announced that he had signed the following: Senate Resolutions Nos. 227 and 228.

SIGNED

May 28, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 793, 1019, 1370 and 1376.

SIGNED

May 28, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1344, 1345, 1346, 1347, 1349, 1350, 1351, 1352, 1353, 1354 and 1355.

MESSAGE FROM THE HOUSE

May 28, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 784 and 1255, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 28, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 784 and 1255, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

THURSDAY, MAY 27, 2010 -- 89TH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

May 26, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 3447, with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 27, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 1552, 2804, 3164, 3267 and 3806; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Wednesday, June 2, 2010: Senate Bills Nos. 3942 and 3943.

This the 28th day of May, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR # 2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, May 27, 2010: Senate Bills Nos. 274, 1220, 2523, 2725, 2785, 3100, 3290, 3341, 3591, 3598 and 3626; and House Joint Resolution No. 704.

This the 26th day of May, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR # 1

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, June 2, 2010: Senate Bills Nos. 2665, 2810, 2811, 3121 and 3345; House Bills Nos. 2510, 3149 and 3351; Senate Bills Nos. 131, 273 and 2472; House Bill No. 2781; Senate Joint Resolutions Nos. 1182, 1183 and 1197; Senate Bills Nos. 3198, 3536 and 3851; House Bill No. 2284, Senate Bills Nos. 274, 1220, 2523, 2725, 2785, 3100, 3290, 3341, 3591, 3598 and 3626; House Joint Resolution No. 704; House Bills Nos. 2813 and 2598; Senate Bill No. 2424; House Joint Resolution No. 30; and Senate Bills Nos. 3644 and 2033.

This the 28th day of May, 2010.
MIKE FAULK, Chairperson.

THURSDAY, MAY 27, 2010 -- 89TH LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR # 2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, June 2, 2010: Senate Bills Nos. 3901, 3880 and 3919.

This the 28th day of May, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Wednesday, June 2, 2010: Senate Bills Nos. 2943 and 3586; House Bills Nos. 219, 2685 and 3136; and Senate Joint Resolution No. 978.

This the 28th day of May, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 2:00 p.m., Wednesday, June 2, 2010, which motion prevailed.